

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, NOVEMBER 11, 2003
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

Call to Order: 5:03 P.M.

Roll Call - Councilmembers Present: Colonna, Carroll, Kell, Richardson,
Reyes Uranga, Webb, Lerch.
Absent: Lowenthal, Baker.
Also Present: Gerald R. Miller, City Manager
Reginald I. Harrison, Deputy City Manager
Heather Mahood, Chief Assistant City Attorney
Larry G. Herrera, City Clerk
Jonda Matrone, Deputy City Clerk

Mayor Pro Tempore Colonna presiding.

Flag Salute: Councilmember Val Lerch, Ninth District

Invocation: Pastor Howard Flynn, Long Beach Seventh-Day Adventist Church

Councilmember Carroll presented a Certificate of Appreciation to Judy Belanger and her daughter Suzanne Garcia who found the missing Long Beach Police K-9 dog.

Shirley Vaughn, Long Beach K-9 Officer's Association, presented a gift brick to Judy and Suzanne in appreciation.

APPROVAL OF MINUTES

Approval of City Council meeting minutes for November 4, 2003.

ACTION: Approved. (Reyes Uranga/Richardson) (7/0 Unanimous)
(Absent: Lowenthal, Baker)

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

CONTINUED HEARINGS:

1. ~~DEPARTMENT: FIRE~~

Withdrawn

~~SUBJECT: Emergency ambulance transportation rate increase. (Resolution to establish and revise rates for emergency ambulance transportation service by municipally owned or operated vehicles and rescinding Resolution No. C-28077.) (Citywide)~~

~~SUGGESTED ACTION:~~

~~Receive supporting documentation into the record and conclude the hearing.~~

~~Adopt resolution to increase advanced life support (ALS) emergency ambulance transportation service rates from \$524.50 to \$658.50.~~

~~Authorize City Manager to automatically set the ALS rate to be consistent with the ALS rate established by the County of Los Angeles, Department of Health Services.~~

2. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution No. C-28273, Intention to vacate portions of Home Street and alleys south of Fifty-First Street and west of Long Beach Boulevard.
(Resolution ordering the vacation of portions of Home Street and alleys south of Fifty-First Street and west of Long Beach Boulevard.) (District 8)
(Doc. 3)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the public hearing.

Adopt resolution ordering the vacation of public right-of-way.

ACTION: Received supporting documentation into the record, concluded the hearing and **adopted Resolution No. C-28287.** (Webb/Lerch) (7/0 Unanimous)
(Absent: Lowenthal, Baker)

HEARING:

3. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution No. C-28278, Intention to vacate a portion of Lakewood Boulevard (formerly La Plaza) north of Stearns Street. (Resolution ordering the vacation of a portion of Lakewood Boulevard [formerly La Plaza] north of Stearns Street.) (District 5) (Doc. 4)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

Adopt resolution ordering the vacation of public right-of-way.

ACTION: Received supporting documentation into the record, concluded the hearing and **adopted Resolution No. C-28288.** (Kell/Colonna) (7/0 Unanimous)
(Absent: Lowenthal, Baker)

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

R. Mike Wilson, spoke regarding public safety.

Dennis Head, spoke regarding strong alliance in support of "find another way" other than public safety budget cuts.

Robert Anderson, spoke regarding "find another way" in regards to public safety budget cuts.

David Henseler, spoke regarding relationship with community and public safety staff and pleaded with Councilmembers to "find another way" for budget cuts.

Gregorio Luke, spoke regarding activities at the Museum of Latin American Art and distributed a bookmark. (Doc. 5)

Joanne DeVere, spoke regarding positive police presence in the neighborhoods and to "find another way" for budget cuts then to pay for deficit with their salaries.

Annie Greenfeld-Wisner, spoke regarding budget cuts and to "find another way" other than public safety cuts.

Jock Lewis, spoke regarding protection of the community, moral of the officers and community because of possible cuts to public safety.

Harvey Cochran, spoke regarding compliments to Councilmember Webb for his attendance at a community meeting and his support for the "find another way" group.

Thomas Murphy, spoke regarding Dr. Holly's presentation on gang violence at last week's meeting complementing her and the 1932 earthquake.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 14) (Pulled for discussion Items 4, 7, 11, 13)

4. DEPARTMENT: CITY AUDITOR

SUBJECT: Quarterly Audit of Cash and Investment Balances as of March 31, 2003.
(Doc. 30)

SUGGESTED ACTION:

Receive and file.

ACTION: Referred to the Budget Oversight Committee. (Richardson/Reyes Uranga)
(7/0 Unanimous) (Absent: Lowenthal, Baker)

Speaker: Thomas Murphy

5. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages. (Docs. 6-22)

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between October 30, 2003 and November 6, 2003.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

6. DEPARTMENT: CITY CLERK

SUBJECT: Appeal of Mel Red and Aurora L. Recana from determination of Board of Examiners, Appeals, and Condemnation regarding property located at 2172, 2172B, 2174 and 2176 Pacific Avenue. (District 6) (Doc. 23)

SUGGESTED ACTION:

Refer to Hearing Officer and request City Clerk to notify the applicant and affected City departments of the time and place of hearing.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

7. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Second amendment to Agreement No. 27587 with State of California Department of Health Services for a Children's Dental Disease Prevention Program. (Citywide) (Doc. 31)

SUGGESTED ACTION:

Authorize City Manager to execute amendment in the amount of \$168,582 for a period of three years.

ACTION: As recommended. (Colonna/Carroll) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Webb)

Speaker: Thomas Murphy

8. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards. (Docs. 24-25)

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$13,680 in compliance with Appeals Board order for claim of James Allen Equitz; and \$33,320 for claim of Barbara Lacey.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

9. DEPARTMENT: LAW

SUBJECT: Seventh amendment to contract with law firm Bannan, Green, Frank & Terzian, LLP, for matter entitled Shirley and Jason McClure v. City of Long Beach, et al. (Doc. 26)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to increase total amount of contract by an additional \$750,000.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

10. DEPARTMENT: LAW

SUBJECT: Lawsuit of Anselmo Ruelas v. City of Long Beach (Consolidated Action). (Doc. 27)

SUGGESTED ACTION:

Authorize City Attorney to pay sum of \$40,500 in full settlement.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

11. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Agreement with the Long Beach Junior Concert Band for Fiscal Year 2004. (Citywide) (Doc. 32)

SUGGESTED ACTION:

Authorize City Manager to execute agreement for amount not to exceed \$137,500 and for a term of one year.

ACTION: As recommended. (Colonna/Lerch) (5/0 Unanimous)
(Absent: Lowenthal, Baker, Carroll, Webb)

Speaker: Thomas Murphy

12. DEPARTMENT: PUBLIC WORKS

SUBJECT: Easement deed to provide for relocation of sidewalk adjacent to 360 Linares Avenue. (District 3) (Doc. 28)

SUGGESTED ACTION:

Request City Attorney to accept easement deed.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: Plans and Specifications No. R-6620 and award of contract to Elite Bobcat Service, Inc., for improvement of New York Street between Atlantic Avenue and Alamos Avenue. (District 6) (Doc. 33)

SUGGESTED ACTION:

Adopt Plans and Specifications.

Authorize City Manager to award contract in estimated amount of \$320,185 and execute contract and all necessary documents related to the contract.

ACTION: As recommended. (Richardson/Colonna) (5/0 Unanimous)
(Absent: Lowenthal, Baker, Carroll, Webb)

Speaker: Thomas Murphy

14. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing: (Doc. 29)

Civil Service Commission, October 22, 2003

SUGGESTED ACTION:

Receive and file.

ACTION: As recommended. (Webb/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Lerch)

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

15. OFFICE: VICE MAYOR FRANK COLONNA, THIRD DISTRICT

SUBJECT: Safety improvements on the I-710 Freeway. (Doc. 34)

SUGGESTED ACTION:

Request City Attorney to prepare resolution urging the State to provide funding now to construct safety improvements on the I-710 Freeway including a concrete median from the 405 Freeway to the 60 Freeway; and to continue the scheduled resurfacing of the roadway from the 405 Freeway north through direct funding allocations or through the issuance of bonds.

ACTION: As recommended. (Colonna/Reyes Uranga) (6/0 Unanimous)
(Absent: Lowenthal, Baker, Webb)

16. OFFICE: COUNCILMEMBER ROB WEBB, EIGHTH DISTRICT

SUBJECT: Spiraling Workers' Compensation costs. (Doc. 35)

SUGGESTED ACTION:

Refer to Economic Development and Finance Committee.

ACTION: Referred to a joint meeting of Economic Development and Finance and State Legislation and Environmental Affairs Committees. (Colonna/Lerch)
(6/0 Unanimous) (Absent: Lowenthal,Baker,Webb)

17. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Presentation on General Plan Update. (Citywide) (Doc. 36)

SUGGESTED ACTION:

Receive and file report.

ACTION: As recommended. (Carroll/Kell) (7/0 Unanimous) (Absent: Lowenthal,Baker)

18. DEPARTMENT: POLICE

SUBJECT: Application of Polly's Incorporated, dba Polly's Bakery Cafe, for an original application for an on-sale beer and wine for bonafide eating place alcoholic beverage license at 4680 Los Coyotes Diagonal. (District 4) (Doc. 37)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to State Department of Alcoholic Beverage Control.

ACTION: Received and filed application. (Carroll/Colonna) (7/0 Unanimous)
(Absent: Lowenthal,Baker)

RESOLUTION:

19. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution authorizing certain City officials to execute documents pertaining to financial assistance for costs incurred for declared disasters by the state and federal governments. (Doc. 38)

SUGGESTED ACTION:

Adopt resolution.

ACTION: **Adopted Resolution No. C-28289.** (Webb/Lerch) (7/0 Unanimous)
(Absent: Lowenthal,Baker)

ORDINANCES:

20. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by adding Subsections 96 and 97 to Section 10.24.076, relating to the parking of oversized vehicles.
(Doc. 39)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

ACTION: As recommended. (Webb/Lerch) (7/0 Unanimous)
(Absent: Lowenthal,Baker)

21. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Ordinance eliminating the existing time limit on incurring debt for the Redevelopment Plan for the Poly High Redevelopment Project.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7885. (Lerch/Webb) (7/0 Unanimous)
(Absent: Lowenthal,Baker)

22. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Ordinance eliminating the existing time limit on incurring debt for the Redevelopment Plan for the West Beach Redevelopment Project.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7886. (Webb/Colonna) (6/0 Unanimous)
(Absent: Lowenthal,Baker,Carroll)

23. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Ordinance eliminating the existing time limit on incurring certain categories of debt for the Redevelopment Plan for the West Long Beach Industrial Redevelopment Project.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7887. (Webb/Reyes Uranga) (7/0 Unanimous)
(Absent: Lowenthal, Baker)

24. DEPARTMENT: CITY PROSECUTOR

SUBJECT: Ordinance amending the Long Beach Municipal Code to add Section 9.64.030 to prohibit the sale of large caliber firearms in the City of Long Beach. (Citywide)

SUGGESTED ACTION:

Lay over to December 2, 2003.

ACTION: Laid over to Tuesday, December 16, 2003. (Colonna/Lerch) (6/1 Unanimous)
(Noes: Webb) (Absent: Lowenthal, Baker)

NEW BUSINESS:

25. DEPARTMENT: FIRE

SUBJECT: First amendment to Agreement No. 26480 between the City of Long Beach and the Boeing Company for fire protection response. (District 5) (Doc. 40)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to provide fire protection response for the Boeing Airlift and Tanker Program (C-17) at no cost to the City, for a period of five years, with option to renew for two additional periods of five years each.

ACTION: As recommended. (Kell/Webb) (7/0 Unanimous) (Absent: Lowenthal, Baker)

26. Affidavit of Service for special meeting held November 11, 2003. (Doc. 1)

ACTION: Received and made a part of the permanent record.

27.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

Councilmembers announced various community events.

Councilmember Colonna requested that the City Council meeting adjourn in memory of Bob "Smokey" Kremel.

Gaspar Gonzales addressed the City Council on bicycle laws.

Adjournment: 7:03 P.M.

REMINDERS:

November 11, 2003, Housing Authority at 4:30 P.M.

November 18, 2003, Hearing on Owner Participation Agreement for the sale of Agency and city-owned property at 201 Promenade North. (District 2)

November 18, 2003, Hearing on the appeal of Speedy Cash from the determination of the Planning Commission regarding 201 W. Pacific Coast Highway. (District 6)

November 18, 2003, Hearing on proposed Preferential Parking District Z. (District 4)

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at **www.longbeach.gov**. E-Mail correspondence can be directed to **cityclerk@longbeach.gov**. Agenda items may be reviewed in the City Clerk Department or the Government Publications Section of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone Jonda Matrone at (562) 570-6765 in the City Clerk Department. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.